



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 6302-99
17 November 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 28 April 1945 at age 17 for the duration of the war. You reenlisted in the Naval Reserve on 5 August 1946 for four years and subsequently extended that enlistment for four years. On 13 December 1950, you were recalled to active duty and remained on active duty until 15 May 1952. You were honorably discharged on 4 August 1954 at the expiration of your enlistment as extended.

The Statement of Service for Naval Reserve Retirement provided by the Naval Reserve Personnel Command appears to be in error. It does not show service from August 1947 until your recall to active duty in 1950, or from your release from active duty in 1952 until the expiration of your enlistment. However, even if all your service is considered you would only have nine years of total service and only about six years of qualifying service for reserve retirement.

In order to be eligible for reserve retirement you must accumulate 20 years of qualifying service. A qualifying year after 1 July 1949 is a year in which you earn at least 50 retirement points. Since you only have about six years of qualifying service, you are not close to qualifying for

retirement. Further, the documentation you submitted showing that you applied for a direct commission in 1959 is not sufficient to establish additional service. The Board concluded that a correction to your record to establish eligibility for retired pay at age 60 is not warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director